

Message Text

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PAGE 01 STATE 066850
ORIGIN NEA-10

INFO OCT-01 ISO-00 L-03 OES-07 AID-05 EA-10 ACDA-12
CIAE-00 INR-10 IO-13 NSAE-00 NSC-05 EB-08 NRC-05
SOE-02 DODE-00 DOE-11 SS-15 SP-02 CEQ-01 /120 R

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AID/ASIA/BIS - M. DWYRE (INFO)
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P 152116Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY NEW DELHI PRIORITY
INFO AMCONSUL BOMBAY PRIORITY

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E.O. 11652: N/A

TAGS: MNUC, IN

SUBJECT: INDIAN NUCLEAR COOPERATION WITH OTHER COUNTRIES
REF: NEW DELHI 3875

1.UNLESS ADVISED OTHERWISE WE PLAN TO INFORM AID THAT
SETHNA'S ASSURANCE REPORTED IN REFTEL THAT QUOTE INDIA
HAS NEVER GIVEN ANY ASSISTANCE OF ANY KIND CONNECTED WITH
REPROCESSING PLANTS UNQUOTE MEETS THE REQUIREMENT IN SEC-
TION 670 OF THE FOREIGN ASSISTANCE ACT FOR A DETERMINATION
ON THIS POINT. YOU WILL RECALL THAT SECTION 670 PROHIBITS
ANY U.S. ASSISTANCE TO ANY COUNTRY WHICH ON OR AFTER
AUGUST 4, 1977: QUOTE (1) DELIVERS REPROCESSING EQUIPMENT,
MATERIALS, OR TECHNOLOGY TO ANY OTHER COUNTRY OR RECEIVES
SUCH EQUIPMENT, MATERIALS, OR TECHNOLOGY FROM ANY OTHER
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PAGE 02 STATE 066850

COUNTRY...UNQUOTE CURRENT CITATION IS 22 USC 2429A.

2. 22 USC 2429 ALSO PROHIBITS ASSISTANCE OF ANY SORT
QUOTE TO ANY COUNTRY WHICH, ON OR AFTER AUGUST 4, 1977,
DELIVERS NUCLEAR ENRICHMENT EQUIPMENT, MATERIALS OR TECH-
NOLOGY TO ANY OTHER COUNTRY OR RECEIVES SUCH EQUIPMENT,
MATERIALS OR TECHNOLOGY FROM ANY OTHER COUNTRY UNLESS BE-

FORE SUCH DELIVERY - (1) THE SUPPLYING COUNTRY AND RECEIVING COUNTRY HAVE REACHED AGREEMENT TO PLACE ALL SUCH

EQUIPMENT, MATERIALS, OR TECHNOLOGY, UPON DELIVERY, UNDER MULTILATERAL AUSPICES AND MANAGEMENT WHEN AVAILABLE, AND (2) THE RECIPIENT COUNTRY HAS ENTERED INTO AN AGREEMENT WITH THE IAEA TO PLACE ALL SUCH EQUIPMENT, MATERIALS, TECHNOLOGY, AND ALL NUCLEAR FUEL AND FACILITIES UNDER THE SAFEGUARDS SYSTEM OF SUCH AGENCY UNQUOTE. WE WOULD NEED AN ASSURANCE SIMILAR TO THAT ON REPROCESSING FROM SETHNA OR EQUALLY AUTHORITATIVE SOURCE THAT INDIA ALSO MEETS THE ENRICHMENT REQUIREMENT AS STATED ABOVE.

3. FYI - APRIL 21, 1977 MEMORANDUM ESTABLISHED THAT AS OF THAT DATE INDIA HAD NOT DELIVERED TO OR RECEIVED FROM ANY OTHER COUNTRY ANY QUOTE NUCLEAR REPROCESSING OR ENRICHMENT EQUIPMENT, MATERIALS, OR TECHNOLOGY UNQUOTE WITHIN THE TERMS OF SECTION 669 AND THUS WAS NOT IN VIOLATION OF THE LAW. VANCE

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Message Attributes

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